



City of Charleston

JOHN J. TECKLENBURG
Mayor

South Carolina
Department of Public Service

LAURA S. CABINESS, PE
Director

**PUBLIC WORKS AND UTILITIES COMMITTEE
AGENDA**

There will be a meeting of the Public Works and Utilities Committee on Tuesday, May 23, 2017 to begin at 4:00 p.m. at 1st Floor Conference Room, 80 Broad Street. The following items will be heard:

A. Invocation

B. Approval of Public Works and Utilities Committee Minutes

April 11, 2017 – *DEFERRED*

April 25, 2017 - *DEFERRED*

May 9, 2017 - *DEFERRED*

C. Request to Set a Public Hearing

None

D. Acceptance and Dedication of Rights-of-Way and Easements

1. **Carolina Bay Phase 21B** - Acceptance and dedication of Doubletree Court (50-foot right-of-way [1,311 LF]), Willet Way (50-foot right-of-way [231 LF]), a portion of Conservancy Lane (50-foot right-of-way [1,018 LF]), and a portion of Bethel Way (50-foot right-of-way [285 LF]). There are 64 lots. All infrastructure except sidewalks (bonded) are complete.
 - a. Title to Real Estate
 - b. Affidavit for Taxable or Exempt Transfers
 - c. Plat
 - d. Exclusive Storm Water Drainage Easements

E. Requests for Permanent Encroachments

None

F. Temporary Encroachments Approved By The Department of Public Service (For information only)

1. **143 Brailsford Street** – installing irrigation encroaching into right-of-way. This encroachment is temporary. **Approved 5/12, 2017.**
2. **2596 Josiah Street** – installing irrigation encroaching into right-of-way. This encroachment is temporary. **Approved 5/12, 2017.**
3. **2548 Daniel Island Drive** – installing irrigation encroaching into right-of-way. This encroachment is temporary. **Approved 5/12, 2017.**
4. **2600 Josiah Street** – installing irrigation encroaching into right-of-way. This encroachment is temporary. **Approved 5/12, 2017.**
5. **2604 Josiah Street** – installing irrigation encroaching into right-of-way. This encroachment is temporary. **Approved 5/12, 2017.**
6. **1411 Peach Blossom Lane** – installing irrigation encroaching into right-of-way. This encroachment is temporary. **Approved 5/12, 2017.**
7. **2549 Daniel Island Drive** – installing irrigation encroaching into right-of-way. This encroachment is temporary. **Approved 5/12, 2017.**
8. **1190 Sunbronze Court** – installing 4' and 6' fences encroaching into drainage easement. This encroachment is temporary. **Approved 5/12, 2017.**
9. **2715 Bolinas Court** - installing 4-foot fence encroaching into drainage easement. This encroachment is temporary. **Approved 5/12, 2017.**
10. **2606 Dweller Court** - installing 4-foot fence encroaching into drainage easement. This encroachment is temporary. **Approved 5/12, 2017.**
11. **1107 King Street, Suite A** – installing 13'4" x 36" awning, 24" x 24" right angle sign, 76" x 24.5" bench, and 28" diameter planter encroaching into right-of-way (The Harbinger Café and Bakery). This encroachment is temporary. **Approved 5/12, 2017.**

G. Miscellaneous or Other New Business

1. Recommendation for stormwater requirements for re-development projects - ongoing. *DEFERRED*
2. Approval of a Memorandum of Agreement by and between the City of Charleston and MUSC regarding Doughty Street and the Medical District Project. ***To be sent under separate cover.***
3. **Close and Abandon a Portion of Fairchild Street** – Close and abandon a portion of Fairchild Street, Daniel Island, County of Berkeley designated as "RCP 1, 4,899 sq. ft., 0.112 acres conveyed to Parcel 1" on the plat entitled "A Final Subdivision and Property Line Adjustment Plat of TMS 275-00-00-260 – Daniel Island, Fairchild Street, owned by DIEC II, LLC, Located in the City of Charleston, Berkeley County, South Carolina".

Close and abandon a portion of Fairchild Street, Daniel Island, County of Berkeley designated as "RCP 3, 111 sq. ft., 0.003 acres conveyed to Parcel 2" on the plat entitled "A Final Subdivision and Property Line Adjustment Plat of TMS 275-00-00-260 – Daniel Island, Fairchild Street, owned by DIEC II, LLC, Located in the City of Charleston, Berkeley County, South Carolina".

Councilmember Rodney Williams
Chairperson

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.

TITLE TO REAL ESTATE

Page 1 of 2

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the CITY OF CHARLESTON, its successors and assigns forever.

AND Grantor does hereby bind itself and its heirs, executors and administrators, to warrant and forever defend, all and singular, the said premises unto the said City of Charleston, heirs and assigns, against Grantor and its heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand(s) and Seal(s) this 28th day of March 2017.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Witness Number One

Scott Utsey

Printed Name

Witness Number Two

Graham Hawkins

Printed Name

CENTEX HOMES, a Nevada general partnership
Grantor

Signature of Grantor

Matthew Raines

Printed Name Its: Division Vice President

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

ACKNOWLEDGEMENT

This foregoing instrument was acknowledged before me (the undersigned notary) by Matthew Raines, the Division Vice President of CENTEX HOMES, a Nevada general partnership, on behalf of the Grantor on the 28th day of March, 2017.

Signature of Notary: Meagan Kuhn

Print Name of Notary: Meagan Kuhn

Notary Public for South Carolina

My Commission Expires: 09-14-2025

SEAL OF NOTARY



STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON) AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property was transferred by CENTEX HOMES, a Nevada general partnership
to City of Charleston on _____.
3. Check one of the following: The deed is
 - (A) _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (B) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (C) ☒ exempt from the deed recording fee because (See Information section of affidavit): conveyance to governmental entity (explanation required)
(If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
 - (A) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of _____
 - (B) _____ The fee is computed on the fair market value of the realty which is _____
 - (C) ☒ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____
5. Check YES ___ or NO ___ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is _____.
6. The deed recording fee is computed as follows:
 - (A) Place the amount listed in item 4 above here: _____
 - (B) Place the amount listed in item 5 above here: _____
(If no amount is listed, place zero here.)
 - (C) Subtract Line 6(b) from Line 6(a) and place the result here: _____

7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is _____.
8. As required by Code Section '12-24-70, I state that I am a responsible person who was connected with the transaction as Division Vice President.
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.



Responsible Person Connected with the Transaction

Matthew Raines, Division Vice President

Print or Type Name Here

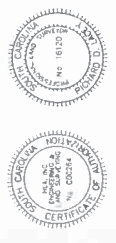
Sworn this 28th day of March 20 17
Megan Kuhn
Notary Public for South Carolina
My Commission Expires: 09-14-, 20 25



CURVE	RADIUS	DELTA	CHORD	BEARING	CHORD
C1	444.33	87.67	71.88	N 156°50'00" E	71.88
C2	20.00	90.00	31.42	S 88°43'11" E	28.56
C3	20.00	89.72	19.79	N 81°31'28" E	28.14
C4	20.00	89.72	19.79	N 81°31'28" E	28.14
C5	20.00	89.72	19.79	N 81°31'28" E	28.14
C6	20.00	89.72	19.79	N 81°31'28" E	28.14
C7	54.00	100.00	71.82	N 81°31'28" E	66.32
C8	12.00	83.00	16.62	N 81°31'28" E	15.90
C9	12.00	83.00	16.62	N 81°31'28" E	15.90
C10	11.00	81.00	16.42	N 81°31'28" E	14.31
C11	11.00	81.00	16.42	N 81°31'28" E	14.31
C12	425.00	72.00	8.96	N 81°31'28" E	17.92
C13	425.00	72.00	8.96	N 81°31'28" E	17.92
C14	425.00	72.00	8.96	N 81°31'28" E	17.92
C15	375.00	59.34	19.28	N 81°31'28" E	38.44
C16	425.00	72.00	8.96	N 81°31'28" E	17.92
C17	425.00	72.00	8.96	N 81°31'28" E	17.92
C18	425.00	72.00	8.96	N 81°31'28" E	17.92
C19	425.00	72.00	8.96	N 81°31'28" E	17.92
C20	425.00	72.00	8.96	N 81°31'28" E	17.92
C21	375.00	59.34	19.28	N 81°31'28" E	38.44
C22	375.00	59.34	19.28	N 81°31'28" E	38.44
C23	375.00	59.34	19.28	N 81°31'28" E	38.44
C24	375.00	59.34	19.28	N 81°31'28" E	38.44
C25	425.00	72.00	8.96	N 81°31'28" E	17.92
C26	425.00	72.00	8.96	N 81°31'28" E	17.92
C27	425.00	72.00	8.96	N 81°31'28" E	17.92
C28	425.00	72.00	8.96	N 81°31'28" E	17.92
C29	425.00	72.00	8.96	N 81°31'28" E	17.92
C30	425.00	72.00	8.96	N 81°31'28" E	17.92
C31	425.00	72.00	8.96	N 81°31'28" E	17.92
C32	425.00	72.00	8.96	N 81°31'28" E	17.92
C33	425.00	72.00	8.96	N 81°31'28" E	17.92
C34	425.00	72.00	8.96	N 81°31'28" E	17.92
C35	425.00	72.00	8.96	N 81°31'28" E	17.92
C36	425.00	72.00	8.96	N 81°31'28" E	17.92
C37	425.00	72.00	8.96	N 81°31'28" E	17.92
C38	425.00	72.00	8.96	N 81°31'28" E	17.92
C39	425.00	72.00	8.96	N 81°31'28" E	17.92
C40	425.00	72.00	8.96	N 81°31'28" E	17.92
C41	425.00	72.00	8.96	N 81°31'28" E	17.92
C42	425.00	72.00	8.96	N 81°31'28" E	17.92
C43	425.00	72.00	8.96	N 81°31'28" E	17.92
C44	425.00	72.00	8.96	N 81°31'28" E	17.92

LEGEND

- BOUNDARY LINE & CORNER POINT (AS DESCRIBED)
- BOUNDARY LINE & CALCULATED POINT
- ADJACENT BOUNDARY LINE
- RIGHT OF WAY LINE
- EASEMENT LINE (AS DESCRIBED)
- CENTERLINE
- COUNTY UNINCORPORATED LINE
- DRAINAGE EASEMENT
- E/3
- CITY OF CHARLESTON
- ADDRESS



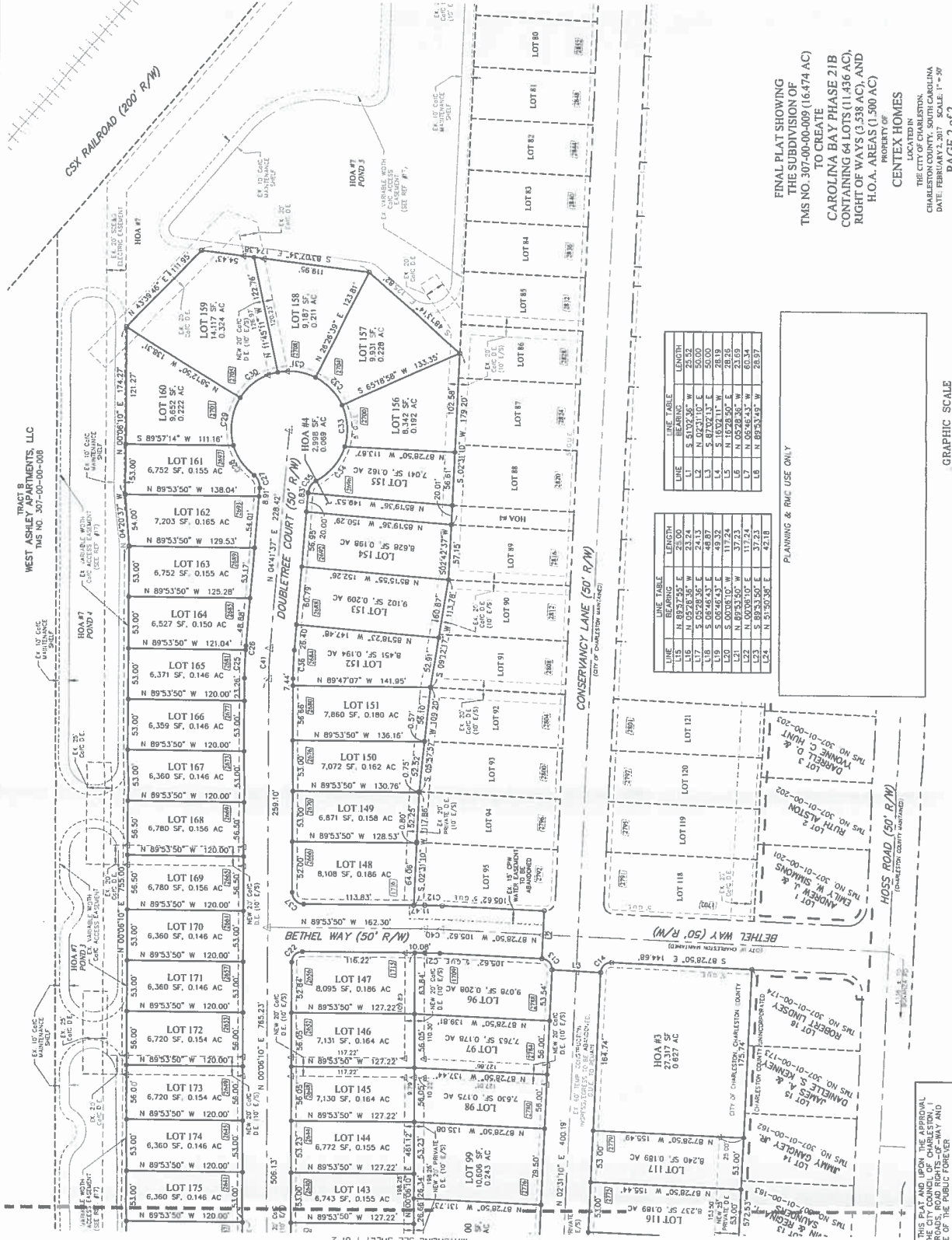
I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION CONTAINED HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO KNOWN OR SUSPECTED ENCUMBRANCES, EASEMENTS OR OTHER SHOWN

RICHARD D. LACEY S.C.P.L.S. 61820

BY THE RECORDING OF THIS PLAT AND UPON THE APPROVAL AND ACCEPTANCE BY THE CITY COUNCIL OF CHARLESTON, I HEREBY CERTIFY THAT THE CITY COUNCIL HAS GRANTED EASEMENTS TO THE USE OF THE PUBLIC FOREVER

OWNER/REPRESENTATIVE CENTEX HOMES

TRACT 8
WEST ASHLEY APARTMENTS, LLC
TMS NO. 307-00-00-008



LINE	BEARING	LENGTH	COORDINATE
L1	N 51°02'30" E	25.52	50.00
L2	N 09°26'35" E	24.13	50.00
L3	S 05°28'35" E	48.87	50.00
L4	S 05°28'35" E	48.87	50.00
L5	S 05°28'35" E	48.87	50.00
L6	S 05°28'35" E	48.87	50.00
L7	N 09°26'35" W	24.13	50.00
L8	N 51°02'30" W	25.52	50.00

LINE	BEARING	LENGTH	COORDINATE
L9	N 51°02'30" E	25.52	50.00
L10	N 09°26'35" E	24.13	50.00
L11	S 05°28'35" E	48.87	50.00
L12	S 05°28'35" E	48.87	50.00
L13	S 05°28'35" E	48.87	50.00
L14	S 05°28'35" E	48.87	50.00
L15	N 09°26'35" W	24.13	50.00
L16	N 51°02'30" W	25.52	50.00

PLANNING & RMC USE ONLY

GRAPHIC SCALE



FINAL PLAT SHOWING
THE SUBDIVISION OF
TMS NO. 307-00-00-009 (16,474 AC)
TO CREATE
CAROLINA BAY PHASE 21B
CONTAINING 64 LOTS (11,436 AC),
RIGHT OF WAYS (3,538 AC), AND
H.O.A. AREAS (1,500 AC)
PROPERTY OF
CENTEX HOMES
LOCATED IN
THE CITY OF CHARLESTON,
CHARLESTON COUNTY, SOUTH CAROLINA
DATE: FEBRUARY 2017 SCALE: 1" = 50'

PAGE 2 OF 2

HLA INC

LAND PLANNING
CIVIL ENGINEERING
SURVEYING
29 Lombard Drive, A2 Charleston SC 29401-6988
tel: 843.763.1166 fax: 843.763.1166 web: www.hlainc.com

15000 24 00P 210 040

STATE OF SOUTH CAROLINA)
)
)
)
COUNTY OF CHARLESTON)
)
)
)

**EXCLUSIVE STORM
WATER DRAINAGE
EASEMENTS
CITY OF CHARLESTON**

This Agreement is made and entered into this _____ day of _____, 20____, by and between the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina (herein the "City"), and CENTEX HOMES, a Nevada general partnership (herein the "Owner").

WHEREAS, THE CITY OF CHARLESTON, is desirous of maintaining storm water drainage ditches and appurtenances ("Storm Water System") across a portion of _____ property identified by and designated as Charleston County tax map number 307-00-00-009 and to accomplish this objective, the City must obtain certain easements from the Owner permitting the maintenance of the Storm Water System through the referenced portion of _____ the Owner's property as hereinafter described: and

WHEREAS, the undersigned Owner of the property is desirous of cooperating with the City and is minded to grant unto it certain permanent and exclusive storm water drainage easements in and to the property necessary therefor.

NOW, THEREFORE, in consideration of the foregoing and the benefits to be derived by the drainage improvements to the property, the Owner has granted, bargained, sold, released and conveyed by these present and does grant, bargain, sell, release and convey unto the City of Charleston all of those certain New City of Charleston Drainage Easements (or D.E.) as such are identified on the above referenced portion of property and which are more fully shown on that certain plat entitled;

"FINAL PLAT SHOWING THE SUBDIVISION OF TMS NO. 307-00-00-009 (16.474 AC) TO CREATE CAROLINA BAY PHASE 21B CONTAINING 64 LOTS (11.436 AC), RIGHT OF WAYS (3.538 AC), AND H.O.A AREAS (1.500 AC) PROPERTY OF CENTEX HOMES LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA."

Prepared and executed by HLA, Inc. dated 2/2/2017

revised on _____, and recorded on _____ in Plat Book _____ at Page _____ in the RMC Office for Charleston _____, South Carolina (herein the "Plat").

A copy of said plat is attached heretofore as "Exhibit A" and incorporated herein.

SAID EXCLUSIVE STORM WATER DRAINAGE EASEMENTS having such size, shape, location, and butting and bounding as shown on said Plat. reference to which is hereby made for a more complete description.

The City shall at all times have the right of ingress and egress to the land affected by the said Exclusive and Permanent Storm Water Drainage Easements for purposes of periodic inspection, maintenance, repair and replacement of the Storm Water System. These Exclusive and Permanent Storm Water Drainage Easements shall be commercial in nature and shall run with the land.

The City has no obligation to repair, replace or to compensate the Owner for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of these Exclusive and Permanent Storm Water Drainage Easements during the conduct of its allowable activities as described above.

TO HAVE AND TO HOLD, all and singular, the said before mentioned unto the said CITY OF CHARLESTON, its successors and assigns, against Owner and its heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, the parties have set the Hands and Seals the day and year above written.

WITNESSES:

CITY OF CHARLESTON

Witness #1

By: Laura Cabiness
Its: Public Service Director

Witness #2

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by _____, the _____ of the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina, on _____.

Signature: _____

Print Name of Notary: _____

Notary Public for _____

My Commission Expires: _____

SEAL OF NOTARY

WITNESSES:

OWNER: CENTEX HOMES, a Nevada general partnership

Witness #1

Name: Matthew Raines
Its: Division Vice President

Witness #2

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by Matthew Raines, the Division Vice President

of CENTEX HOMES, a Nevada general partnership, on behalf of the Owner on March 28, 2017

Signature: Meagan Kuhn

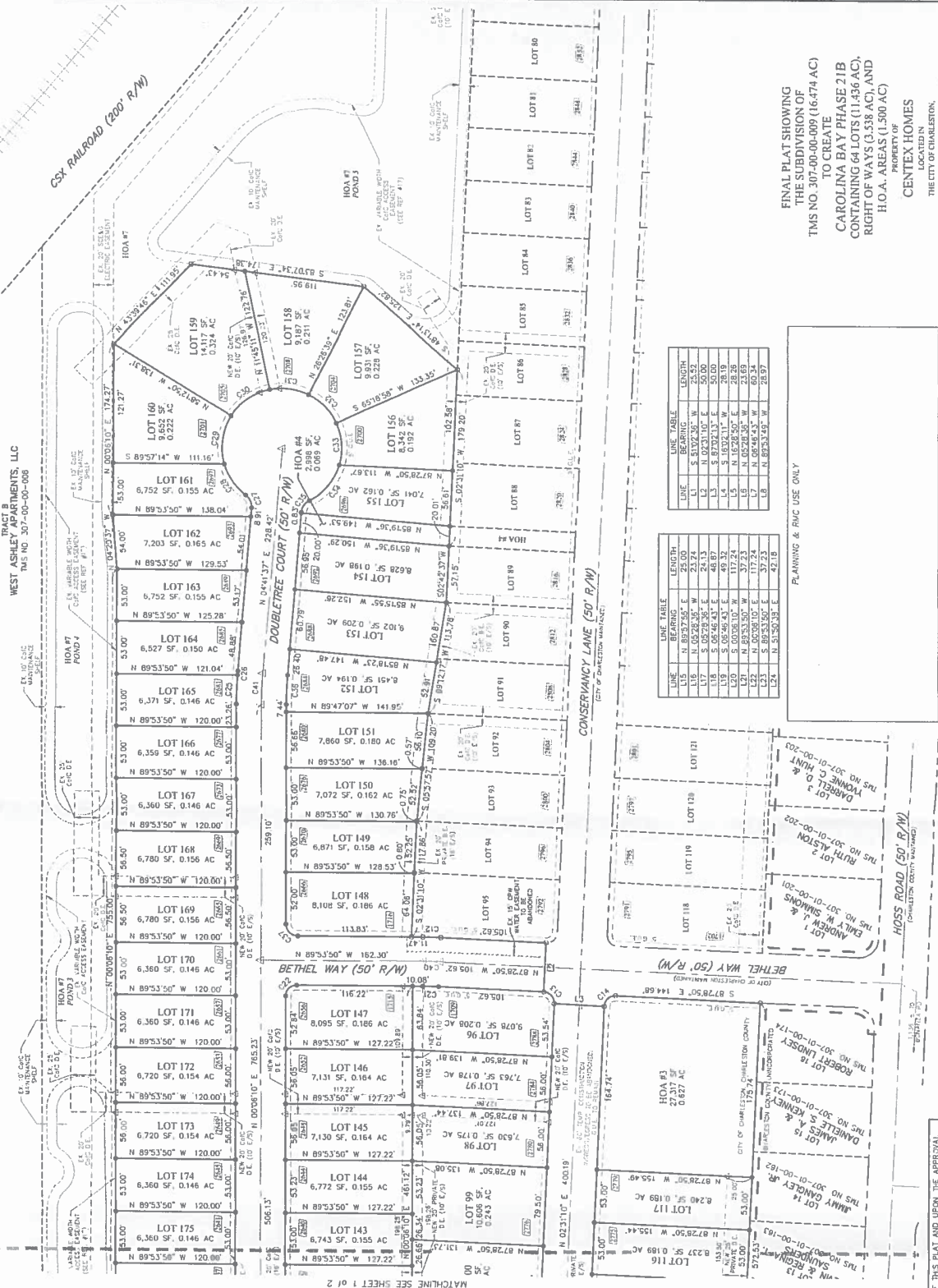
Print Name of Notary: Meagan Kuhn

Notary Public for South Carolina

My Commission Expires: 09-14-2025

SEAL OF NOTARY





QUIT-CLAIM DEED

ALL that certain piece or parcel of land, situate, lying and being on Fairchild Street, Daniel Island, County of Berkeley, State of South Carolina, shown and designated as "RCP 3, 111 sq. ft., 0.003 acres conveyed to Parcel 2" on a plat prepared by John T. Bymes, III, SCPLS, entitled "A FINAL SUBDIVISION AND PROPERTY LINE ADJUSTMENT PLAT OF TMS 275-00-00-260 – DANIEL ISLAND – FAIRCHILD STREET, owned by DIEC II, LLC, Located in the City of Charleston, Berkeley County, South Carolina" dated April 27, 2015, and duly recorded at the Berkeley County R.O.D. Office in Plat Cabinet S, at Page 85i; said parcel containing such actual size, shape, dimensions, buttings and boundings as are shown on said plat, reference to which is hereby craved for a more full and complete description thereof.

To be combined with T.M.S. No. 275-00-00-_____

SUBJECT TO ALL APPLICABLE EASEMENTS AND RESTRICTIONS OF RECORD.

BEING a portion of the same property conveyed to the Grantor by deed of the Daniel Island Company, Inc. dated November 30, 1999, at duly recorded at the Berkeley County R.O.D. Office on December 2, 1999, in Book 1801, at Page 0259.

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the said premises before mentioned unto the said Grantee, its successors and assigns forever, so that neither the Grantor, nor its successors, nor any other person or persons claiming under them, shall at any time hereafter, by any way or means, have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part or parcel thereof, forever.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal, by and through the undersigned agent, this ____ day of _____, 2016.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

The City of Charleston

By: _____

Title: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON) ACKNOWLEDGMENT

I, a Notary Public for the State of South Carolina, hereby certify that the above named Grantor, by and through the above named agent, personally appeared before me this ____ day of _____, 2016, and acknowledged the due execution of the foregoing instrument.

_____(SEAL)
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires:_____

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

AFFIDAVIT

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.
2. The property located on Fairchild Street, Daniel Island, SC, being a part of County Tax Map No. 275-00-00-132, is being transferred by The City of Charleston to DIEC II, LLC on _____, 2016.
3. Check one of the following: The Deed is (check one of the following)
 - (a) _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (b) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (c) x EXEMPT from the deed recording fee because (exemption # 1) (Explanation if required: Quit-claim Deed)
(If exempt, please skip items 4-6, and go to item 8 of this affidavit)
4. Check one of the following if either item 3(a) or item 3(b) above has been checked.
 - (a) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ _____.
 - (b) _____ The fee is computed on the fair market value of the realty which is \$ _____.
 - (c) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____.
5. Check YES ___ or NO ___ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is \$ _____.
6. The Deed Recording Fee is computed as follows:
 - (a) _____ the amount listed in item 4 above
 - (b) _____ the amount listed in item 5 above
 - (c) _____ Subtract Line 6(b) from Line 6(a) and place the result.
7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$ _____.
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: _____.
9. I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

SWORN to and Subscribed before me
this _____ day of _____, 2016.

_____(SEAL)

NOTARY PUBLIC FOR S.C.

My Commission Expires: _____

Grantor, Grantee, or Legal Representative
connected with this transaction

Print or Type Name Here

